

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**Honorable Stephen L. Johnson
Thursday, February 18, 2016**

Current as of 2/17/2016 at 3:32 PM

San Jose Courtroom 3099

**U.S. Courthouse and Federal Bldg.
280 S 1st Street
San Jose, CA 95113**

10:00 AM **11-52123** George O. Ekeh and
Ch 13 Augustina C. Ekeh
Trustee: Derham-Burk

Moving: Brian M. Kandel

Opposing:

Matter: **Motion for Authority to Incur Secured Debt For The Purpose of Modifying The Terms Of An Existing Secured Loan For Real Property Filed by Debtor (99)**

***Statement of Non-Opposition filed by Trustee 1/15/16**

Comment **Tentative Ruling: Matter will be called because Paragraph 4 of the motion is unclear. Are escrow charges included in mo pymt?**

10:00 AM **11-54080** Donald Lawrence Jensen and
Ch 13 Laura Anne Ottoboni Jensen
Trustee: Derham-Burk

Moving: Andy C. Warshaw

Opposing:

Matter: **First Interim Application for Compensation of Fees: \$990.00 & Expenses of \$0.00 Filed by Andy Warshaw for Financial Relief Law Center, Counsel for Debtor (60)**

Comment **Tentative Ruling: Matter will be called.**

10:00 AM **11-55158** Della D. Coloma
Ch 13
Trustee: Derham-Burk

Moving: Cathay Fulton Ericksen

Opposing: Daniel K. Fujimoto

Matter: **a) Hearing re Request for Judgment re Motion to Value Security under FRBP 3012 and Avoid Lien Filed by Debtor (37)**

b) Objection by Bosco Credit LLC (55)

Comment **Tentative Ruling: This matter is dropped from calendar. Request for Judgment withdrawn on 2/11/16.**

10:00 AM **11-57090** Arthur Gonzales and
Ch 13 June M. Gonzales
Trustee: Derham-Burk

Moving: Charles B. Greene

Opposing:

Matter: **a) Motion to Refinance Real Property (1271 Santa Paula Ave., San Jose) Filed by Debtor (60)**

b) Opposition filed by Trustee (62)

Comment **Tentative Ruling: Matter will be continued to 3/17/2016 calendar. Notice period has not run on amended notice filed 2/11/2016.**

10:00 AM **11-59558** Patrick J Gunning and
Ch 13 Myrtle M. Gunning
Trustee: Derham-Burk

Moving: Michael D. Lee

Opposing:

Matter: **Final Application for Compensation of Fees & Costs: \$4,410.00 Filed by Lee & Li Attorneys at Law, Counsel for Debtor (94)**

Comment **Tentative Ruling: Granted under § 330(a)(4)(B).**

10:00 AM **12-57842** Thomas Harper McConnell, Jr and
Ch 13 Joni Terese McConnell
Trustee: Derham-Burk

Moving: Norma L. Hammes

Opposing: Gilbert R. Yabes

Matter: **a) Motion for Order Allowing Sale of Property Filed by Debtor (27)**

b) Conditional Non-Opposition by Wells Fargo Bank, NA

***Statement of Non-Opposition filed by Trustee 2/9/16**

Comment **Tentative Ruling: Granted. Trustee and WFB counsel to sign off on order approving sale.**

10:00 AM **15-50496** Harold R. Tippet
Ch 13
Trustee: Derham-Burk

Moving: Cathleen Cooper Moran

Opposing:

Matter: **Application for Compensation of Fees: \$4,979.50 & Reimbursement of Expenses: \$809.95 Filed by Moran Law Group, Inc. (62)**

Comment **Tentative Ruling: Matter will be called. Court requests counsel review time entry on 10/13/2015 for accuracy.**

10:00 AM **15-51739** Kevin Alan Justus and
Ch 13 Louisa Catherine Justus
Trustee: Derham-Burk
Moving: Cassandra J. Richey
Opposing: David A. Boone

Matter: **Hearing re Objection to Confirmation of Plan Filed by Wells Fargo Bank, N.A. (15)**

***Objection withdrawn 2/16/16**

Comment **Tentative Ruling: Matter will be called.**

10:00 AM **15-51799** Lorraine Tamayo
Ch 13
Trustee: Derham-Burk
Moving: Brette L. Evans
Opposing:

Matter: **Application for Compensation of Fees: \$7,755.00 & Reimbursement of Expenses: \$26.68 Filed by Evans Law Offices, Counsel for Debtor (27)**

Comment **Tentative Ruling: Granted under §330(a)(4)(B). Payment due from trustee's balance on hand in event of dismissal.**

10:00 AM **15-52320** Alan Vance McAllister
Ch 13
Trustee: Derham-Burk
Moving: Brette L. Evans
Opposing:

Matter: **Second Application for Compensation of Fees: \$2,200.00 & Reimbursement of Expenses: \$65.00 Filed by Evans Law Offices, Counsel for Debtor (36)**

Comment **Tentative Ruling: Granted under § 330(a)(4)(B).**

10:00 AM **15-53292** Darrell Fears
Ch 13
Trustee: Derham-Burk
Moving: Lars T. Fuller
Opposing:

Matter: **a) First Amended Motion for Order Authorizing Sale of Real Property on 410 Gavilan Court, Gilroy, CA Filed by Debtor (32)**

b) Opposition by Trustee (38)

***Order shortening time**

Comment **Tentative Ruling: Matter will be called.**

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10:00 AM **15-53341** Jose De Jesus Fierros and
Ch 13 Martha Alicia Fierros
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Matter: a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Secs. 109(h), 521(b) and 1307(c) Filed by Trustee (18)**

b) **Objection by Debtor (21)**

Comment **Tentative Ruling: This matter will be called.**

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10:00 AM **15-53797** Javier Valencia and
Ch 13 Socorro Valencia
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Matter: a) **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Secs. 109(h), 521(b) and 1307(c) Filed by Devin Derham-Burk (15)**

b) **Objection by Debtor (19)**

Comment **Tentative Ruling: This matter will be called.**

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UNCONTESTED CALENDAR – CONFIRMATION ADVANCED PER RESOLUTION

JUDGE JOHNSON – February 18, 2016 at 10:00 a.m.

**With respect to the following cases, objections were filed and subsequently withdrawn;
therefore, the Court confirms the following cases:**

The following cases shall be **CONFIRMED**:

- | | |
|--|----------------------|
| 14. JAMES & JAQUELINE KAMMERER
15-50182 SLJ | ATTY – BOONE |
| 15. MARIA PIMENTEL
15-50808 SLJ | ATTY – HSU |
| 16. PATRICIA SWIGART
15-51992 SLJ | ATTY – WOOD |
| 17. JOSEPH RASTRULLO
15-52157 SLJ | ATTY – FARSAD LAW |
| 18. MARIA MARTINEZ
15-53445 SLJ | ATTY – CENTRAL COAST |
| 19. NELSON VILLALPANDO
15-53652 SLJ | ATTY – ZERBINI |
| 20. RAMSES PUNO
15-53852 SLJ | ATTY – FARSAD LAW |

The Court has determined that it is in the best interests of creditors and the estates to hold the Confirmation Hearings earlier than 21 days after the meetings of creditors. No objections to the earlier hearings have been filed; therefore, the following plans are either confirmed or placed on the Trustee's Pending List:

**INITIAL CONFIRMATION CALENDAR FOR CASES
WITH NO OUTSTANDING OBJECTIONS**

JUDGE JOHNSON – February 18, 2016 at 10:00 a.m.

The following cases shall be **CONFIRMED**:

21. CARL GULAS 15-5-3925 SLJ	ATTY – SHULMAN
22. ERWIN & PATRICIA BASINSKI 15-5-3927 SLJ	ATTY – BROOKS
23. VALERIE ZAMORA 15-5-3955 SLJ	ATTY – MAYDANIK
24. ALEXANDER REMUS 15-5-3977 SLJ	ATTY – HSU

**INITIAL CONFIRMATION CALENDAR FOR POST BANKRUPTCY REFORM ACT CASES
WITH OUTSTANDING OBJECTIONS**

JUDGE JOHNSON – February 18, 2016 at 10:00 a.m.

From: 341 MEETING OF CREDITORS, February 1, 2016

TO BE PLACED ON TRUSTEE’S PENDING LIST:

25. NANCY PERRY
15-5-3934 SLJ

ATTY – BOONE
OBJECTION BY – TRUSTEE

26. MYRIAM LONAKER
15-5-3948 SLJ

ATTY – FULLER
OBJECTION BY – TRUSTEE, EIFFEL FINANCIAL
LLC & SHELLPOINT MORTGAGE SERVICING

27. JOHN SAIA
15-5-3958 SLJ

ATTY – GRAVEL
OBJECTION BY – TRUSTEE & DDI
INVESTMENTS

28. JOSEPH & MARY REBELO
15-5-3968 SLJ

ATTY – SAGARIA
OBJECTION BY – BOSCO CREDIT LLC

29. THERESA BRIDWELL
15-5-3986 SLJ

ATTY – MOHER
OBJECTION BY – TRUSTEE

30. ADELA DE SCOTT
15-5-3990 SLJ

ATTY – CENTRAL COAST
OBJECTION BY – TRUSTEE